

Rule Revisions to be Posted on Web Site
(May 30, 2003)

RULE 1007-1

LISTS, SCHEDULES, & STATEMENTS

A. The following shall accompany and be filed with the petition:

(1) CHAPTER 7, 12, or 13:

(a) LIST OF CREDITORS (Names and Addresses) unless the petition is accompanied by a schedule of liabilities or a Chapter 13 statement.

(b) MASTER MAILING MATRIX ~~and ATTORNEYS MATRIX~~. (see Local Rule 1007-2)

(c) FILING FEE.

(2) CHAPTER 9 or 11:

(a) LIST OF CREDITORS (Names and Addresses) unless the petition is accompanied by a schedule of liabilities.

(b) EXHIBIT "A" TO OFFICIAL FORM NO. 1, IF DEBTOR IS A CORPORATION.

(c) LIST OF TWENTY LARGEST UNSECURED CREDITORS EXCLUDING INSIDERS.

(d) MASTER MAILING MATRIX and ATTORNEYS MATRIX. (see Local Rule 1007-2)

(e) FILING FEE.

B. Chapter 13 Statement and Plan:

The original and ~~three~~ two copies of the Chapter 13 Statement must be filed within the time limits specified in Bankruptcy Rule 1007(c). Schedule B-4 must accompany the Statement.

RULE 1007-2

MAILING LIST OR MATRIX

~~The master matrix shall include first the name and address of the debtor followed by names and addresses of all creditors listed in alphabetical order. The attorneys matrix shall include the names and addresses of the debtor, the debtor's attorney, and the U.S. Trustee. Both the master matrix and the attorneys matrix must be an original, not a duplication. The form must be a Xerox 33 block or similar product.~~

The debtor shall file with the petition a list containing the name and address of each creditor which shall serve as a mailing matrix. The mailing matrix shall be submitted on diskette in the format specified by the Clerk's Office (see "INSTRUCTIONS FOR CREDITOR MATRIX DISKETTE" on local forms page on court Internet site).

RULE 1015

JOINT ADMINISTRATION

A. Time for Filing Objection to Joint Administration. All joint cases by husband and wife will be jointly administered in accordance with Rule 1015. However a creditor or party in interest may file an objection to joint administration no later than 30 days after the first date set for the meeting of creditors under §341(a).

B. Extension of Time. On motion of any party in interest, after hearing on notice, the court may for cause extend the time to file an objection to joint administration. The motion shall be filed before the time has expired.

RULE 1017-2

DISMISSAL - CASE OR PROCEEDINGS

Failure to comply with these Rules may be grounds for dismissal of a case or conversion to a case under chapter 7 of Title 11.

RULE 1019-1

CONVERSION

In cases converted to Chapter 7, the debtor-in-possession or the trustee shall file an original and four (4) copies of all lists, schedules, and statements required by Bankruptcy Rule 1007, on the official forms with the debtor's signatures, which accurately reflect the condition of the debtor's estate at the time of conversion. The lists, schedules, and statements shall be filed within the time provided in Bankruptcy Rule 1007 and 1019(1)(A). The final report and schedule of post-petition debts shall be filed

within the time provided in Bankruptcy Rule 1019(1)(A). In lieu of filing new schedules and statement, if the debtor has acquired no debt or property since the filing of the case and prior to conversion, the Debtor shall obviate the need for filing amended schedules by filing a statement that he or she has acquired no debts or property since the case was filed. The debtor shall comply with all other requirements of Bankruptcy Rule 1019.

RULE 2002-1

NOTICE TO CREDITORS AND OTHER INTERESTED PARTIES

A party in interest who desires to receive copies of pleadings and notices to which it is entitled under rule 2002 shall:

- A. File a request with the Clerk;
 - B. Serve a copy of the request on the debtor, ~~or~~ debtor's attorney, the attorney for the debtor-in-possession, the trustee, the attorney for the trustee and the U.S. Trustee; and
 - C. Attach to the request filed with the Clerk a certificate of service which states to whom a copy of the request has been given.
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RULE 2015-2

DEBTOR IN POSSESSION DUTIES

A. A debtor-in-possession or a trustee who operates a business shall file signed monthly financial reports in the form and containing the information as set forth by the Office of the U.S. Trustee (see local forms page on court Internet site).

B. A debtor-in-possession in a Chapter 11 case who is an individual not engaged in business shall file signed monthly financial reports in the form and containing the information as set forth by the Office of the U.S. Trustee (see local forms page on court Internet site).

C. The monthly reports shall be filed no later than the 20th day of each month commencing with the month following the filing of the petition and shall reflect all transactions during the immediately preceding month.

D. The attorney for the debtor-in-possession shall not be required to sign the monthly financial reports or file any notice of their filing.

E. The debtor-in-possession or trustee in a Chapter 11 case shall file the original monthly financial report with the Clerk and serve a copy of the reports and financial statements upon the U.S. Trustee, the members of the creditor's committee, if one has been appointed, the attorney for the creditors' committee, if one has been employed, and such other person or persons as the Court may from time to time direct. The debtor-in-possession in Chapter 12 and Chapter 13 business cases shall serve a copy of the reports and financial statements upon the trustee, the U.S. Trustee and upon such other person or persons as the Court may from time to time direct.

F. In Chapter 12 cases the debtor shall file signed Monthly Cash Receipts and Disbursements Statements as set forth by the Office of the U.S. Trustee (see local forms page on court Internet site). The debtor shall file the original with the Clerk and provide a copy to the Chapter 12 Trustee and the U.S. Trustee beginning with the filing of the bankruptcy petition and ending when the payments under the Plan are complete. The reports shall be filed by the debtor no later than the 15th day following the end of the month and shall include all the debtor's receipts or income, in cash or by check, received during the month. The receipts should be itemized by kind, quantity, and dollar amount. All expenses paid in cash or by check should be itemized.

G. Failure to comply with this Rule may be grounds for conversion to Chapter 7, if permitted by law, or for dismissal of the case.

RULE 2016-1

COMPENSATION OF PROFESSIONALS

A. Applications for Compensation in Chapter 7 Cases:

(1) (a) Final applications for fees, and expenses of all professionals incurred during the administration of the Chapter 7 cases and allowable under 11 U.S.C. " §503(b)(2), (3), (4), and (5) must be filed not later than fifteen (15) days after service of notification by the trustee that the case is ready to close.

(b) In cases that have been converted to Chapter 7, all final applications of professionals for fees, cost, and expenses incurred in the superseded case must be filed within ninety (90) days after the date of the order converting the case.

(2) All applications for fees and expenses, whether interim or final, shall contain the amounts requested and a detailed itemization of the work performed including: 1) the name of the individual performing the work; 2) the amount of time expended for each item of work; 3) the hourly rate requested; and 4) a discussion of the criterion that are relevant in determining the compensation to be awarded.

(3) Applications for fees and expenses totaling \$1,000 ~~\$500~~ or less will be determined after notice and an opportunity for a hearing. Notice shall go to all creditors, the U.S. Trustee, and all other parties in interest. A hearing will not be held unless a timely objection is filed with the Court.

B. Applications for Compensation in Chapter 11 ~~Chapters 11, 12, and 13:~~

(1) Applications of attorneys, accountants, auctioneers, appraisers, and other professionals for compensation from the estate of the debtor allowable under 11 U.S.C. " §503(b)(2), (3), (4) and (5), should ~~must~~ be filed no later than fifteen

(15) days after the entry of an order scheduling the confirmation hearing, except for applications for fees and expenses totaling ~~\$1,000~~ \$500 or less, which may be heard and determined pursuant to Local Rule 2016-1. A copy of the application shall be served upon the trustee, the attorney for the trustee, the debtor-in-possession, the attorney for the creditors' committee, and the U.S. Trustee. Nothing herein shall preclude an application not filed pursuant to this rule; provided, however, that debtor shall not be required to pay for such services at the time of confirmation.

(2) All applications for compensation of professionals, including interim applications, shall contain a detailed itemization of the work performed. Applications by attorneys and accountants shall include the individual performing the item of work, a description of the work performed for each item, the amount of time expended for each item, the hourly rate requested, and a discussion of the criteria that are relevant in determining the compensation to be awarded.

(3) All disclosures required to be transmitted to the United States Trustee under Bankruptcy rule 1026(b) shall be served on the case trustee within the time required for service on the United States Trustee.

RULE 2081-1

CHAPTER 11 - GENERAL

A. Authority to Operate Business:

The operation of a business by a debtor-in-possession in cases filed under Chapter 11 shall be subject to the terms and conditions of the order continuing the debtor-in-possession (~~See Local Form #4~~) to be entered upon the entry of the order for Relief. The debtor-in-possession shall also deposit taxes and file tax returns in compliance with the terms of the Order to File Federal and State Employment Tax Returns and To Deposit State and Federal Taxes. (See local forms page on court Internet site).

B. Post-Confirmation Matters:

(1) Within twenty (20) days after the confirmation hearing confirming the plan, the attorney for the proponent of the plan shall prepare the Order of Confirmation and submit it to the Court. Copies of the proposed order shall be served upon the U.S. Trustee, any party in interest who filed an objection to the confirmation and to any other person designated by the Court. The proponent of the plan shall then be responsible for the distribution of the Order of Confirmation and copies of the confirmed plan to all creditors, the U.S. Trustee, and other parties as may be designated by the Court.

(2) (a) In addition to the report required by Bankruptcy Rule 2015(a) and (b), in those instances where the plan requires longer than one hundred twenty (120) days for consummation, the plan proponent debtor shall file a Confirmed Plan Status Report beginning the third month after the effective date of the plan and every 3 months thereafter. This report shall disclose any distributions made, including the amount of

each distribution to creditors as identified in the plan, as well as a description of all other matters which must be consummated in order to close the estate.

(b) If the plan provides for payments to any class of creditors over a period of time which is longer than one hundred eighty (180) days from the date of confirmation, the plan proponent debtor shall execute an instrument evidencing the indebtedness and deliver such instrument to each creditor or other party interest. Such instrument shall provide for payment of the amount due under the plan upon the terms set forth in the plan. Delivery of instruments shall be deemed commencement of distribution under the plan for purposes of closing the estate pursuant to 11 U.S.C. § 1101(c). Such instruments shall be delivered to creditors in each class within thirty (30) days after all objections to claims in that class have been resolved or, if there are no objections to claims in any class, then within sixty (60) days after the entry of an Order of Confirmation.

(c) Upon substantial consummation of the Plan, the plan proponent debtor shall file its application for final decree which shall certify compliance with 11 U.S.C. § 1101.

RULE 2082-1

CHAPTER 12 - GENERAL

A. DUTIES OF CHAPTER 12 DEBTOR

(1) At least five (5) days before the first meeting of creditors, the debtor must file and provide the Chapter 12 trustee with ~~(a)~~ the Summary of Operations for Chapter 12 Case (see local forms page on court Internet site) and the ~~(b)~~ Income Tax Returns for the two (2) years immediately preceding the filing of the bankruptcy petition.

(2) At least five (5) days before the confirmation hearing, the Debtor must file and provide a copy to the Chapter 12 Trustee of ~~(a)~~ the Farm Plan for a three (3) year period indicating projected disposable income and ~~(b)~~ a liquidation analysis reflecting the distributions to unsecured creditors if the case proceeds as a Chapter 7.

(3) ~~Monthly Cash Receipts and Disbursements Statement.~~ The debtor shall file and provide a copy to the Chapter 12 Trustee the ~~following reports~~ Monthly Cash Receipts and Disbursements Statement (see local forms page on court Internet site) beginning with the filing of the bankruptcy petition and ending when the payments under the Plan are complete. The ~~reports~~ Statements shall be filed by the debtor no later than the fifteenth (15th) day following the end of the month and shall include all of the debtor's receipts and/or income, in cash or by check, received during the month. The receipts should be itemized by kind, quantity, and dollar amount. All expenses paid in cash or by check should be itemized.

(4) Within sixty (60) days after the end of a calendar year (or fiscal year), the Debtor must complete and file with the Clerk and the Chapter 12 Trustee, Internal Revenue Service Form Schedule 1040 F together with all supporting schedules of Schedule F, and Form 4835, for any part of the calendar or taxable period ending after the date on which the Chapter 12 petition was filed. The Schedule F and Form 4835 must report all income and all expenses to the end of the calendar (or fiscal) year.

B. PRE-CONFIRMATION MATTERS IN CHAPTER 12

(1) In all cases filed under Chapter 12 debtor shall file a statement which contains "adequate information" about: (1) the debtor's ability to make all of the payments under the plan and to comply with the plan, (2) the financial condition of the debtor, including assets and liabilities of the debtor as well as the income and expenses of the debtor for the preceding calendar year, (3) the value of any property of the estate, whether being retained by the debtor or surrendered, which is subject to a lien or security interest as well as a description of the basis for such value, (4) an analysis of the amount which would be received by unsecured creditors if the estate of the debtor were to be liquidated under Chapter 7 of Title 11, and (5) a projection of the net disposable income of the debtor for the term of the plan.

(2) For purposes of this section, "adequate information" shall mean information of a kind, and in sufficient detail, as far as reasonably practicable in light of the nature and history of the debtor and the condition of the debtor's books and records, that will enable creditors and the trustee to make an informed judgment about confirmation of the plan.

(3) In a Chapter 12 case the pre-confirmation statement shall be filed upon the filing of a plan. In business Chapter 13 cases the pre-confirmation statement shall be filed fifteen (15) days prior to the confirmation hearing. Copies of the pre-confirmation statement shall be served upon all creditors, the trustee, the U.S. Trustee, and other persons who have requested notice pursuant to Bankruptcy Rule 2002.

Rule 2081-1B shall apply in Chapter 12 cases.

RULE 3007-1

CLAIMS OBJECTIONS

A. Objections to claims shall be subject to Bankruptcy Rule 9014 and Local Rule 9013-2, except that the initial pleading need not contain or be accompanied by citations of authority.

B. All responsive pleadings to an objection to claim shall contain or be accompanied by citations of authority.

C. If no written response to an objection to a claim is filed pursuant to Local Rule 9013-2, the Court may grant relief to the objecting party without the necessity of an evidentiary hearing if relief is otherwise proper.

D. All proposed orders on objections to claims shall recite in the ordering paragraph that the objection is either sustained or denied, that the claim is either allowed or disallowed, and if allowed the amount and class of each such allowed claim.

E. In all cases filed under Chapter 13, unless ~~Unless~~ extended by the Court, ~~anyone the debtor~~ shall file any objections to claims no later than thirty (30) days after the entry of an Order of Confirmation.

F. In all cases filed under Chapter 11, unless extended by the Court, objections to claims shall be filed not less than forty-five (45) days prior to the entry of an Order of Confirmation.

Note: As guidance to practitioners utilizing this Local Rule, this procedure should be used only for routine objections to claims and in no instance shall this Rule be used in filing objections to claims of federal governmental units.

RULE 3012-1

VALUATION OF COLLATERAL

A. (1) In cases filed under Chapter 11, all secured creditors shall be served a copy of any plan and disclosure statement or any amendment thereto filed in the case. The value of property set forth in the disclosure statement filed pursuant to 11 U.S.C. ' 1125 shall be deemed at confirmation to be the value of the property for purposes of the plan and confirmation of the plan, including the treatment of creditors under the plan, unless five (5) days prior to the hearing on confirmation a party in interest has filed a motion pursuant to Bankruptcy Rule 3012, in which event such values shall be as determined by the Court.

(2) The disclosure statement shall include the plan proponent's basis or justification for all values shown.

B. In cases filed under Chapter 12 or 13: Upon the filing of the plan or within five (5) days thereafter, the debtor shall notify all secured creditors in writing of the value, and the debtor's basis or justification for the values shown, of the collateral which secures their claim as set forth in the schedules. The attorney for the debtor shall file a certificate of service to evidence service of the notice pursuant to this Rule. The value of property subject to liens or security interests as noticed shall be deemed to be the value of the property for purposes of confirmation and treatment of such creditor pursuant to a plan unless no later than twenty (20) days after such notice any party in interest files a motion to value collateral pursuant to Bankruptcy Rule 3012. The notice sent to secured creditors pursuant to this rule shall notify such creditor that failure to file a timely motion to value collateral will result in such collateral being valued at the amount listed for purposes of confirmation of the plan and treatment of such creditor's claim pursuant to the plan.

C. A motion to value property of the estate shall state the value of the property as alleged by the moving party and all facts or circumstances supporting such value and shall be accompanied by an appraisal or other evidence of value. A Motion to Value shall include a certification as required by Local rule 7007-1. The appraisal or other evidence shall be filed and a copy served upon all adverse parties who are required to be served with a copy of the motion. Any adverse party who contests the motion and desires to appear and be heard on

the issue of value shall file a response to such motion within twenty (20) days prior to the hearing on the motion and shall file and serve not later than five (5) days prior to the hearing an appraisal or other evidence of value.

D. In any proceeding in which the value of real property is an issue and where a party intends to present appraisal testimony, the written appraisal report and a statement of the qualifications of the appraisal witness shall be filed with the Court and served on all opposing parties as soon as the report first becomes available but in no case less than five (5) days before the trial or hearing wherein the testimony is to be presented.

E. All objections to the admissibility of the appraisal report or the qualifications of the appraiser as an expert shall be filed and served upon the appraisal's proponent no less than two (2) days prior to the trial or hearing wherein the testimony is to be presented. Absent any objections, the report shall be admitted into evidence without further testimony.

F. Admission into evidence of an appraisal report shall constitute the complete direct examination of an appraiser witness. Cross examination of the witness will begin immediately upon admission of the report followed by redirect and recross.

RULE 3020-1

CHAPTER 11 - CONFIRMATION

A. Objections to confirmation shall be governed by Bankruptcy Rule 9014 and shall be filed and served not less than seven (7) days before the hearing on confirmation or within such time as may otherwise be ordered by the Court. A copy of any objection shall be served upon each of the persons set forth in Bankruptcy Rule 3020(b), the U.S. Trustee, and the proponent of the plan (if other than the debtor).

B. All acceptances and rejections shall be mailed to the proponent of the plan at least seven (7) days prior to the confirmation hearing, and, if the plan proponent is not the debtor, a copy of all ballots shall be served upon the debtor. Prior to the hearing on confirmation in Chapter 11 cases, the attorney for the plan proponent shall tabulate the acceptances and rejections of the plan on a Chapter 11 Ballot Tabulation form (*see local forms page on court Internet site*). The ballot tabulation and the original ballots shall then be filed with the Court prior to or at the confirmation hearing. The attorney for the plan proponent shall certify that the tabulation is accurate and that all ballots received have been accounted for and filed.

C. In tabulating the acceptances and rejections, the following rules shall govern:

(1) Ballots which are not signed or which do not identify the creditor will not count as either an acceptance or rejection;

(2) Ballots which do not show a choice of either acceptance or rejection will not be counted either as an acceptance or a rejection;

(3) Ballots which are filed after the last date set for filing of ballots will not be counted as either an acceptance or rejection except upon leave of the Court; and

(4) Where duplicate ballots are filed and one elects acceptance and one elects rejection, then, absent leave of the Court, neither ballot will be counted unless the latter one is designated as amending the prior one.

D. A summary of the tabulations shall be filed with the Court which shall list for each class, the total number of claims voting, total dollar amount of claims accepting, percentages of claims voting which accept the Plan, and percentage of dollar amount of claims voting which accept the Plan. Such summary shall also indicate for each class whether they are impaired or unimpaired and whether or not the requisite vote has been attained for each class.

RULE 4003-2

LIEN AVOIDANCE

A. A motion to avoid a lien under 11 U.S.C. ' 522(f) and Bankruptcy Rule 4003(d) may name only one creditor as respondent. A separate motion is required for each creditor whose lien or transfer is sought to be avoided.

B. The debtor shall serve a copy of the motion together with any appraisal or other evidence of value upon which the debtor intends to rely upon the respondent in accordance with Bankruptcy Rule 7004.

C. The respondent shall have thirty (30) days within which to file and serve on the debtor a written response to the motion. Any response shall include a copy of any appraisal or other evidence of value upon which the respondent intends to rely. The debtor shall make the property in question available to the creditor or creditor's agent or appraiser at a mutually agreeable time for the purpose of making an appraisal.

D. If a timely response is filed, the matter will be noticed for an evidentiary hearing. If the respondent fails to file a timely response, the motion may be granted without further notice or a hearing.

Bill Blevins will add to standard notice -- No rule change needed

RULE 5005-1 (NEW)

ELECTRONIC FILING

The Clerk of the Bankruptcy Court may accept for filing documents submitted, signed, verified or served by electronic means that are consistent with technical standards, if any, that the Judicial Conference of the United States establishes and that comply with the administrative procedures established by the Bankruptcy Court.

RULE 5005-2

FILING - NUMBER OF COPIES

A. Number of Copies Required:

- (1) Chapter 7 ORIGINAL plus THREE COPIES
- (2) Chapter 9 ORIGINAL plus SIX COPIES
- (3) Chapter 11 ORIGINAL plus FIVE COPIES
- (4) Chapter 12 ORIGINAL plus THREE COPIES
- (5) Chapter 13 ORIGINAL plus TWO ~~THREE~~ COPIES

B. The lists, schedules, and statements required by Bankruptcy Rules 1007(a) , (b) and (d) shall be filed with the same number of copies as the petition and within the time limit specified in Bankruptcy Rule 1007.

RULE 5081-1

FEES – FORM OF PAYMENT

The filing fee must be paid by an attorney's office or trust account, check, cash, or money order, or preapproved credit card. If paid by check, there should be a separate check for each petition or item filed.

RULE 6004-1

SALE OF ESTATE PROPERTY

A. In sales of property of the estate, other than in the ordinary course of business, the trustee shall prepare and file a Report and Notice of Intention to Sell Property of the Estate ~~in substantially the same form as Local Form #9~~ (see local forms page on court Internet site). Where the value of the estate's interest in the property is less than \$1,000.00, notice need be given only to the debtor, debtor's attorney, any committee or its authorized agent, the U.S. Trustee's Office, and to any creditor and equity security holders who file a request that all notices be sent to them.

B. Sales of property of the estate free and clear of liens pursuant to 11 U.S.C. § 363(f) and Bankruptcy Rule 6004(c) shall be accomplished in the following manner:

(1) File a motion pursuant to Rule 6004(c) for authority to sell property free and clear of liens or other interest, and serve the motion on the parties thereto who have liens or other interest in the property to be sold;

(2) File a notice of sale (~~Report and Notice of Intent to Sell Property of the Estate, Local Form #9~~ see local forms page on court Internet site) as provided in Rule 6004(a), and serve the notice on all creditors and parties in interest.

C. All objections to the sale, whether by a party with an interest in the property or otherwise, shall be set for hearing at the same time. If no objections to the sale are filed, the motion shall be granted without a hearing and the sale may proceed without further notice or hearing.

RULE 6007-1

ABANDONMENT

A. Any party in interest, other than a trustee, who seeks to have property abandoned from the estate may do so by complying with the following:

(1) Prepare a Report and Notice of Trustee's Intention to Abandon Property of Estate in ~~substantially the same form as Local Form #8~~ (see local forms page on court Internet site). Present the original prepared Report and Notice to the trustee and enclose the following documentation or information:

(a) Evidence of indebtedness owed including promissory notes, statements of account or the like;

(b) Affidavit of amount due with calculations set forth in detail;

(c) Evidence of perfection of the lien or encumbrance including mortgages, security agreements, UCC filings and copies of titles showing liens; and

(d) Evidence as to value.

(2) (a) If the property to be abandoned is encumbered by liens greater than the value of the property, notice shall be given only to the debtor, debtor's attorney, any known lienholders, the creditor's committee, if any, and the U.S. Trustee's office.

(b) If the property to be abandoned is not encumbered by any liens but has a value totaling less than \$500.00, notice shall be given to the debtor, debtor's attorney, the creditor's committee, if any, and the U.S. Trustee's office.

(3) The party in interest who has requested the abandonment shall send the original Report and Notice and a Certificate of Service of mailing to the Clerk.

B. Unless a written objection is filed within fifteen (15) days of the mailing of the notice or within such other time fixed by the Court, the abandonment will be deemed final and no order will be issued.

RULE 7001-1

ADVERSARY PROCEEDINGS

An adversary proceeding governed by Part VII of the Bankruptcy Rules shall be commenced by the filing of a complaint. The filing shall include the Adversary Proceeding Cover Sheet (Form B 104), ~~Local Form #2,~~ the Summons (Form BK 177), and the appropriate filing fee (see local forms page on court Internet site). The caption of the complaint shall conform substantially with Official Form No. 34. The plaintiff's attorney shall fill in the names of the parties on the Summons, and the Clerk's office will complete the remainder of the Summons and return it to the plaintiff for service together with a copy of the complaint.

RULE 7007-1

MOTION PRACTICE - ADVERSARY PROCEEDINGS

A. In adversary proceedings, counsel for the moving party shall confer with counsel for the opposing party and shall file with the Court at the time of filing a motion, or within three (3) days thereafter, a statement certifying that he has conferred with counsel for the opposing party in a good faith effort to resolve by agreement the issues raised and the result thereof. If certain of the issues have been resolved by agreement, the certificate shall specify the issue so resolved and those remaining for resolution. Counsel shall clearly identify those motions which are consented to in their entirety. The statement shall specify the amount of time requested for hearing on the motion.

B. Each motion shall contain no more than one claim or request for relief unless the prayer is seeking alternative relief provided for in a single section of the Bankruptcy Code or Rules.

RULE 7067-1

REGISTRY FUND

A. Whenever a party seeks a court order for money to be deposited by the Clerk in an interest-bearing account or investment, the party shall deliver its motion along with the proposed order to the Clerk or Financial Deputy who will review for proper form and content and then submit the motion and proposed order to the Court for signature. (See local forms page on court Internet site.)

~~B. The order for deposit of funds shall conform substantially to Local Form #12.~~

RULE 9014-1 (NEW)

WITNESSES AND EVIDENTIARY HEARINGS

When a party intends to present witnesses at an evidentiary hearing, counsel shall so indicate that intent on the hearing request form submitted to the Court. Once set for hearing, the Notice of Hearing shall clearly indicate that the hearing shall be evidentiary. If a hearing is not noticed by the moving party as an evidentiary hearing and any other party intends to present witnesses, then that party shall promptly notify the Court and all other parties of the intent to present witnesses.

RULE 9070-1

EXHIBITS

A. No later than one day prior ~~Prior~~ to trial or an evidentiary hearing, counsel for the parties shall mark, list, and exchange all exhibits which they plan to introduce into evidence.

B. Each exhibit shall be tagged separately with a tag containing the following information:

RECEIVED AS PLAINTIFF // DEFENDANT // JOINT // EXHIBIT NO.

CASE NO.

ADVERSARY NO.

FOR ID. IN EVIDENCE

C. Exhibits should be identified numerically commencing with number 1.

D. All exhibits must be listed in order on a separate sheet of paper. (See local forms page on court Internet site.) ~~which shall be in accordance with Local Form #7.~~

E. The original of the documentary exhibits and listing of exhibits shall be furnished to the Clerk at the commencement of the hearing or trial period.

F. All exhibits produced at hearing or trial which are not pre-marked shall be tendered to and marked by the Court Clerk (or Court Reporter if no Court Clerk is present) as they are presented in evidence.

G. Once a judgment or order in an adversary proceeding or contested matter in which exhibits have been received by the Court becomes final, the Clerk shall give notice to all parties to reclaim their exhibits. The parties shall have thirty (30) days from the date of

said notice to either reclaim their exhibits or to make arrangements with the Clerk to do so. Exhibits which are not reclaimed shall be discarded or destroyed.

RULE 9073-1

HEARINGS

A. If a movant seeks a hearing on a motion, or if the motion does not contain a request for hearing and an entity filing a response desires a hearing, the title of the motion or response shall include the following language: "...And Request For Hearing."

B. (1) A motion or a response which includes a request for a hearing shall be accompanied by a Hearing Request form ~~in substantial conformity with Local Form #1.~~ (See local forms page on court Internet site)

(2) If a Motion or response does not contain a request for hearing as provided for in "A", then a party in interest who desires a hearing, shall file a request for hearing by use of a Hearing Request form. (See local forms page on court Internet site). ~~in substantial conformity with Local Form #1.~~ Copies of all Hearing Requests shall be served on all parties who served the Motion or response and on all parties who were served copies of the Motion or response.

C. (1) If a motion, response to a motion, or pleading seeks an emergency hearing, the title of the motion or pleading shall include the words "And Request For Emergency Hearing."

(2) Emergency hearings shall ordinarily be held only where direct, immediate, and substantial harm will occur to:

(a) the interest of an entity in property;

(b) the estate; or

(c) the debtor's ability to reorganize if the parties are not able to obtain an immediate resolution of the dispute.

(3) A motion seeking an emergency hearing shall be accompanied by a "Statement of Need For Emergency Hearing" stating:

(a) why the relief requested requires an emergency hearing;

(b) that the need for an emergency hearing is not caused by lack of due diligence by the party, or its counsel, seeking the relief; and

(c) that efforts have been made to resolve the issue without an emergency hearing.

D. All hearings may be adjourned or continued from time to time by announcement made in open court without further written notice.